

[To accompany bill H. R. No. 422.]

AMENDMENTS TO THE CHARTER OF THE CITY OF
WASHINGTON.

MEMORIAL

OF

A COMMITTEE OF THE CORPORATION OF WASHINGTON,

IN RELATION TO

Certain amendments to the charter of said city.

APRIL 26, 1848.

Ordered to be printed.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the undersigned, a committee appointed by the corporation of Washington, respectfully sheweth :

That the present charter of the city of Washington was granted by Congress on the 15th May, 1820; to continue for twenty years, and until Congress should, by law, determine otherwise.

That although it has been in operation for about twenty-eight years, no important modifications in its provisions have been made by Congress since the year 1824, when some were made, relating principally to the sales of property for taxes. With these exceptions, therefore, the original act of 15th May, 1820, may be said to comprise all the chartered powers of the corporation of the city of Washington at the present time, notwithstanding the length of time which has elapsed since the passage of that act, and the change in the condition of the city from the increase of business and population; the latter of which, in 1820, was only 13,474, while at present it is upwards of 35,000. It may therefore be very well supposed that a charter which answered all the purposes of the people of this city in 1820, would fall very far short of what is demanded by the present condition and prospects of this city. The experience of every day adds to the evidence of the serious burden upon the prosperity and well-being of this community which is the result of the defects in the present charter.

That to remedy these defects in the charter of this city, the subject has been brought before your honorable bodies in various shapes during the last five or six years; but as yet, nothing has resulted from the movements

heretofore made in the matter, principally in consequence of the various conflicting opinions among our citizens in relation to the amendments which have been heretofore proposed.

That, for the purpose of obtaining an expression of the wishes of a majority of the people of this city as to what amendments they desired to be made to the present charter, in such a shape as could be laid before your honorable bodies, the corporate authorities of Washington, on the 4th of February last, determined to submit the matter to a vote of the people of the city; and, accordingly, after much consideration, framed certain amendments to the charter, which were imbodyed in the shape of "A bill to continue, alter, and amend the charter of the city of Washington," and which is attached to this memorial; which bill was submitted to a vote of the people of this city on the 23d February last, under and agreeably to the provisions of the following resolutions of the corporation:

JOINT RESOLUTIONS in relation to an application to Congress for certain amendments to the charter of this city, and providing for submitting the same to a vote of the people.

Resolved by the Board of Aldermen and Board of Common Council of the city of Washington, That it is expedient that application be made to Congress for the amendments to the charter of this city embraced in the following draught of "A bill to continue, alter, and amend the charter of the city of Washington," and that the same be submitted to a vote of the people of this city, at a poll to be held in the respective wards, on Wednesday, the twenty-third day of February, eighteen hundred and forty-eight, at which poll all those who are in favor of this corporation making application to Congress for the said amendments to the charter of this city will vote ballots on which are written or printed "aye," and all who are opposed to such application will vote ballots on which is written or printed "no."

2. *Resolved,* That the said poll shall be held in each ward under the superintendence of three commissioners, who shall be appointed in the same manner as the commissioners for superintending the regular annual elections of this corporation are appointed, and they shall take a similar oath, and shall give the same notice of the time and place of holding said poll, and shall in all respects conduct the same as the regular annual elections of this corporation are conducted; and the said commissioners shall make return of the result as in the case of the election of mayor: *Provided,* That the said commissioners are hereby required to receive the vote of any free white male citizen of the United States (except persons *non compos mentis*, vagrants, paupers, and persons who shall have been convicted of any infamous crime) who shall have attained the age of twenty-one years, and shall have resided in the city of Washington one year immediately preceding the day of voting, and shall be a resident of the ward in which he offers to vote.

3. *Resolved,* That the said commissioners shall meet at the mayor's office, at ten o'clock a. m., on the day after the said poll, and shall, in the presence of the mayor and the presidents of the Board of Aldermen and Board of Common Council, compare the returns of the votes taken at the poll held on the day before in the respective wards, and under their hands declare the result, giving the number of votes in each ward "aye," and the

number "no," and the respective aggregates, which shall also be attested by the signatures of the mayor and the presidents of the Board of Aldermen and Board of Common Council, one copy of which shall be filed in the register's office, one copy sent to the Board of Aldermen, and one copy to the Board of Common Council; and the mayor shall cause the same to be published immediately thereafter in three of the newspapers of this city.

4. *Resolved*, That the joint committee appointed to attend to the interests of this corporation before Congress be and they are hereby instructed, if a majority of the votes taken at the said poll shall be "aye," immediately to make application to Congress for the amendments to the charter of this city embraced in the said draught of "A bill to continue, alter, and amend the charter of the city of Washington," and respectfully, in the name and in behalf of this corporation and the people of this city, ask its enactment into law.

5. *Resolved*, That the mayor shall cause these resolutions, and the said draught of "A bill to continue, alter, and amend the charter of the city of Washington," to be published in at least three newspapers printed and published in this city, three several times in each, the first insertion in each to be at least ten days before the day of voting, and the last insertion on that day.

[The foregoing resolutions refer to the whole of the annexed "bill to continue, alter, and amend the charter of the city of Washington," except the section (the 5th) which provides for the election by the people of the register, collector, and surveyor.]

6. *Resolved*, That, for the purpose of ascertaining the opinion of the people of this city as to the expediency of incorporating with the foregoing proposed amendments a section authorizing the election of register, collector, and surveyor of this city by the people, the said commissioners are hereby required, at the same time and place, to receive votes on the following additional amendment to the charter of this city; those in favor of it voting ballots on which are written or printed "for election of officers," and those who are opposed to it voting ballots on which are written or printed "against election of officers," which votes shall be received from the persons authorized to vote by the foregoing resolutions; and the voting shall be conducted and the returns of the same shall be made as therein prescribed; and the comparing of the returns and the declaration of the result shall be done in the manner and at the time prescribed by the foregoing resolutions in relation to the other amendments submitted to the vote of the people. And, if it shall appear that a majority of the votes taken on this amendment shall be "for election of officers," then the joint committee appointed to attend to the interests of this corporation before Congress are hereby required to incorporate the said amendment with the foregoing proposed "bill to continue, alter, and amend the charter of the city of Washington," to come in as a section immediately after the one authorizing the election of assessors; and the said amendment shall be published in the same papers and at the same times before the day of voting, as is required in the case of the other amendments proposed.

SAMUEL BACON,

President of the Board of Common Council.

WALTER LENOX,

President of the Board of Aldermen.

W. W. SEATON, *Mayor.*

Approved February 4, 1848.

[And this last resolution refers to that section (the 5th) in the bill which provides for the election by the people of the register, collector, and surveyor.]

That agreeably to the forms therein prescribed, and after due notice as therein required, and under the superintendence of the regularly appointed commissioners, the bill was voted upon by the people of this city, on the said 23d day of February last, due returns of which voting were regularly made by the said commissioners, and the result of the same is declared in the following report of the mayor and presidents of the Board of Aldermen and Board of Common Council, made from the returns of the commissioners.

MAYOR'S OFFICE, *February 24, 1848.*

To the Board of Aldermen and Board of Common Council :

GENTLEMEN: The commissioners appointed under the joint resolutions of the Board of Aldermen and Board of Common Council of the city of Washington, approved the 14th of February, 1848, entitled "joint resolutions in relation to an application to Congress for certain amendments to the charter of this city, and providing for submitting the same to a vote of the people," attended at the mayor's office this day, according to the direction of the said joint resolution, and in pursuance thereto, and made to the undersigned returns of the number of votes given in their respective wards on the several questions submitted to the people on the 23d instant; from which said returns the undersigned have made out, and report to the two boards, the following aggregates, viz:

Wards.				On the charter amendments.		On the election of officers.	
				<i>Aye.</i>	<i>No.</i>	<i>Aye.</i>	<i>No.</i>
First	-	-	-	105	85	130	61
Second	-	-	-	264	37	254	46
Third	-	-	-	264	22	204	82
Fourth	-	-	-	367	23	212	146
Fifth	-	-	-	178	36	168	41
Sixth	-	-	-	122	115	180	45
Seventh*	-	-	-	280	6	33 239	10
				1580	324	1420	431
*For the election of "all officers"				-	-	239	

W. W. SEATON, *Mayor.*

W. LENOX,

President of the Board of Aldermen.

SAM. BACON,

President of the Board of Common Council.

From which it will be seen that the people of this city have, with extraordinary unanimity, declared in favor of an application to Congress for the enactment into law of the amendments to the charter embraced in the annexed "bill to continue, alter, and amend the charter of the city of Washington;" the majority in favor of all the provisions of the bill, except the section in relation to the election of register, collector, and surveyor, being 1256, out of 1904 votes, or nearly 4 to 1 taken; and the majority in favor of the section providing for the election of those officers being 989, out of 1851 votes taken, or more than 3 to 1.

That the votes taken on these questions largely exceed the greatest number of votes ever before taken at an election in this city; and it will be seen by the foregoing resolutions that all free white male persons of twenty-one years and upwards of age, who had resided in this city twelve months previous to the day of voting, and who were of sane minds, and not paupers or criminals, were entitled to vote without any other restriction.

That, deprived as the people of Washington are of any voice in the making of the laws for their own government, the hope is indulged that this attempt to do something towards remedying the defects of their present corporate government will receive an early and favorable consideration from your honorable bodies; and the undersigned respectfully and earnestly, in the name of the people and corporation of Washington, urge upon your honorable bodies the justice and expediency of enacting into law the amendments to the charter of this city, embraced in the annexed "bill to continue, alter, and amend the charter of the city of Washington," which have been framed with great care, and which have received so near the unanimous approbation of the people of this city.

And your memorialists will ever pray, &c., &c.

W. W. SEATON, *Mayor.*

JOHN W. MAURY,
BENJ. B. FRENCH,
IGNATIUS MUDD,
Of the Board of Aldermen.

Committee.

LEWIS JOHNSON,
SILAS H. HILL,
GEO. J. ABBOTT,
G. H. FULMER,
Of the Board of Common Council.

WASHINGTON CITY, March 16, 1848.

A BILL to continue, alter, and amend the charter of the city of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of May fifteenth, eighteen hundred and twenty, entitled "An act to incorporate the inhabitants of the city of Washington, and to repeal all acts heretofore passed for that purpose," and the act of May twenty-sixth, eighteen hundred and twenty-four, entitled "An act supplementary to 'an act to incorporate the inhabitants of the city of Washington,' passed the fifteenth of May, one thousand eight hundred and twenty, and for other purposes," and the act or acts supplemental or additional to said acts which were in force on the fourteenth day of May, eighteen hundred and forty, or which may, at the passing of this act, be in force, be and the same are hereby continued in force for the term of twenty years from the date hereof, and until Congress shall by law determine otherwise, with the alterations, additions, explanations, and amendments following, that is to say:

SEC. 2. *And be it further enacted,* That, in addition to the boundaries of the city of Washington, contained in the deeds of cession from the original proprietors of the lands whereon said city is located, the limits of the city shall be and hereby are extended as follows: to the middle of the channel of the Anacostia river, or Eastern Branch, and with the middle of the said channel until it meets with the middle of the southern or main channel of the Potomac river; thence up the said river, with the middle of the said southern or main channel of the said river, until it comes opposite to the middle of the mole erected or constructed by the Chesapeake and Ohio Canal Company across the mouth of Rock creek; thence to the middle of the said mole; thence by the middle of Rock creek until it comes due west of the beginning stone of said boundaries; thence to the said stone; and all the waters and lands, and lands covered by water, within said limits, shall be, and hereby are declared to be, subject to the jurisdiction, by-laws, and regulations of the corporation of Washington.

SEC. 3. *And be it further enacted,* That the said corporation shall have full power and authority to lay and collect a tax of not exceeding three-fourths of one per centum per annum upon the assessed value of all stocks which may be owned and possessed by any person whatever, in any banking, insurance, or other incorporated company in the city of Washington; and to compel all such banking, insurance, or other incorporated company, to furnish, when so required to do, within ten days thereafter, a full and complete list of the names of the stockholders in such company, and the amount of stock owned by each, under a penalty not exceeding fifty dollars for each and every week such company shall neglect or refuse or fail to furnish the same. And in default of payment of the tax due on said stock by the banking, insurance, or other company, or by the holder or holders of the stock, the said corporation shall have full power and authority to sell the said stock, or so many shares thereof as shall be sufficient to pay the taxes due thereon, and costs of collection, as provided in the case of personal property. The said corporation shall also have power to lay and collect a tax, not exceeding three-fourths of one per centum per annum, on the assessed value of all bonds and mortgages, of stocks of all kinds, and all public and private securities, and on every description of property within the said city, or which may be owned or held

by the inhabitants thereof, except such as by law is now exempt from taxation; and to compel persons to furnish, when required by the assessors, a full and correct list of all property by law taxable, held by them, and to punish with suitable fines and penalties persons refusing or omitting to furnish such lists. The said corporation shall have power to lay and collect a poll-tax upon every free white male citizen of the age of twenty-one years and upwards, of not exceeding one dollar per annum; to provide for licensing, taxing, and regulating livery stables, private bankers, brokers, money-lenders, and wholesale and retail dealers, in a ratio according to the annual average amount of the capital invested in the business of such private bankers, brokers, money-lenders, and wholesale and retail dealers; to make all necessary regulations respecting hackney carriages and the rates of fare of the same, and the rates of hauling by cartmen, wagoners, carmen, and draymen, and the rates of commission of auctioneers; to regulate and graduate the licenses of non-resident merchants and traders; to regulate and establish fish wharves and docks; to restrain and prohibit gaming houses and bawdy-houses; to punish those who may sell intoxicating liquors without having obtained license therefor, by fines not less than five dollars, and in default of the payment thereof, by imprisonment and labor in the work-house for a term not exceeding ninety days; to provide for the punishing by fines and penalties, and by confinement to labor in the work-house, any person and all persons who shall molest or disturb any church or other place of worship while the congregation are engaged in any religious exercises or proceedings; to provide for the weighing of all kinds of live stock brought into the city; to cause to be pulled down unsafe, dilapidated, or dangerous buildings; to take up and relay foot pavements and paved carriage-ways, and to keep them in repair, and to lay and collect taxes for paying the expenses thereof on the property fronting on such footways and carriage ways; to lay and collect taxes for the support of public schools; to cause new alleys to be opened into the squares, and to open, change, or close those already laid out, upon the application of the owners of more than one-half of the property in such squares, subject to the second proviso of the eighth section of the act of May the fifteenth, eighteen hundred and twenty, incorporating the inhabitants of the city of Washington. And the said corporation shall have full power and authority to make all necessary laws for the protection of public and private property, the preservation of order, the safety of persons, and the observance of decency in the streets, avenues, alleys, public spaces, and other places in the said city, and for the punishment of all persons violating the same, as well as for the punishment of persons guilty of public profanity and prostitution.

SEC. 4. *And be it further enacted,* That at the first general election held after the passage of this act, a Board of Assessors, to consist of one member from each ward, shall be elected by the qualified voters therein, to serve for two years; and the returns of election for assessors shall be made in the same manner and form as the returns of the election for members of the Board of Aldermen and Board of Common Council; and the person having the greatest number of legal votes in each ward for assessor, shall be duly elected assessor; but in case two or more persons, highest in vote, shall have an equal number of votes, the commissioners of election for the ward in which such equality shall exist shall decide the choice by lot. No person who is not eligible to a seat in the Board of Aldermen or Board

of Common Council, shall be eligible to election as assessor. And, on the first Monday of May next succeeding the first election of assessors under this act, the said board, or a majority of the members thereof, shall meet in the City Hall, and, in the presence of the mayor and register, shall draw by lot the names of three members thereof, if the number of wards be seven, or if the number of wards exceed seven, the names of one-half, as near as may be, of the members of said board; and the members whose names shall be thus drawn shall thereupon cease to be members of said board, and at the next general election a member shall be elected to serve for two years in each of the wards in which the members so drawn shall have been elected; and at every regular annual election thereafter in such wards as the time of the assessors is about to expire, an assessor shall be elected to serve for two years. No person holding any other office under the corporation shall be elected to or hold the office of assessor. In the event of the death, resignation, inability, or refusal to serve, of any person elected an assessor, the vacancy shall be filled immediately by the Board of Aldermen and Board of Common Council, in joint meeting, in which manner all vacancies in the board of assessors shall be filled. The board of assessors shall assess and value, and make return of all and every species of property by law taxable, and make return of all persons subject to a poll-tax, in the said city, under such regulations as the said corporation shall prescribe; and if the said assessors, or either of them, shall refuse or wilfully neglect to assess and value and make return of all and every species of property by law taxable, which may be known to them, or either of them, or come to their knowledge, or shall refuse or wilfully neglect to make return of any person subject to a poll-tax, they, or the one so offending, shall be subject to a fine not exceeding one hundred dollars for each offence, at the discretion of the circuit court of the District of Columbia for the county of Washington, and shall thereafter be incapable of holding any office under the corporation, and the Board of Aldermen and Board of Common Council may, by joint resolution, remove any assessor from office for any misconduct in office.

SEC. 5. *An be it further enacted*, That the register, collector, and surveyor of the said city shall severally be elected on the first Monday in June next, and on the same day in every second year thereafter, at the same time and place, in the same manner, and by the persons qualified to vote for mayor and members of the Board of Aldermen and Board of Common Council; and the commissioners of election shall make out duplicate certificates of the result of the election for register, collector, and surveyor, and shall return one to the Board of Aldermen and the other to the Board of Common Council on the Monday next ensuing the day of election; and the persons having the greatest number of votes for those offices respectively, shall be register, collector, or surveyor, as the case may be; but in case two or more persons highest in vote shall have an equal number of votes for either of said offices, then it shall be lawful for the Board of Aldermen and Board of Common Council to proceed forthwith, by ballot, in joint meeting, to determine the choice between such persons; and the said register, collector, and surveyor shall respectively hold their offices until their respective successors are duly elected and qualified, unless sooner removed from office; and full power and authority are hereby granted to the corporation of Washington to pass all such laws as may be necessary to define and regulate the respective duties, powers, and authority of the

said register, collector, and surveyor, and also to prescribe the amount of bond and security to be given to the said corporation by each, before entering upon the duties of their respective offices, and generally to pass all such laws as may be necessary to insure an efficient and faithful discharge of the duties of their respective offices by the said register, collector, and surveyor; and in case the said officers, or either of them, shall fail or refuse to comply with any law, resolution, or order of the said corporation, or shall fail to discharge the duties of their respective offices with fidelity and a strict regard to the interests of the said corporation, or shall prove unable or incompetent, from any cause whatever, to discharge such duties, or shall be guilty of any malversation in office, or shall be convicted of any high crime or misdemeanor, it shall be lawful for the majority of the Board of Aldermen and Board of Common Council, by joint resolution, to remove such officer, and to order an election to fill the vacancy; and in case of the refusal or failure of any person elected to either of said offices to accept of the same, or to give such bond and security as may be required by said corporation within twenty days after his election, or in case of the death, resignation, or removal from the said city of any person elected to or holding either of said offices, it shall be lawful for the Board of Aldermen and Board of Common Council to declare said office vacant, and to order an election to fill the vacancy. And in all cases where it shall become necessary to hold an election to fill a vacancy in either of said offices, the same regulations shall be observed as to the appointment of commissioners to hold said elections, and as to holding the elections and the returns of the same, as are observed at the regular elections: *Provided*, That authority is hereby given to the mayor of the said city to appoint temporarily, under such regulations as the said corporation may prescribe, some discreet person to discharge the duties of such vacant office until an election can be had, and a successor duly elected and qualified to enter upon his duties.

SEC. 6. *And be it further enacted*, That every free white male citizen of the United States, who shall have attained the age of twenty-one years, and shall have resided in the city of Washington one year immediately preceding the day of election, and shall be a resident of the ward in which he shall offer to vote, and shall have been returned on the books of the corporation during the year ending the thirty-first of December next preceding the day of election, as subject to a poll-tax for that year, (except persons *non compos mentis*, vagrants, paupers, or persons who shall have been convicted of any infamous crime,) and who shall have paid his poll-tax, and all taxes on personal property due from him, shall be entitled to vote for mayor, members of the Board of Aldermen and Board of Common Council, and assessors, and for every officer authorized to be elected at any election under this act, or the act or acts to which this is amendatory or supplementary. And if any person shall buy or sell a vote, or shall vote more than once at any corporation election held in pursuance of law, or shall give or receive any consideration therefor in money, goods, or any other thing of value, or shall promise any valuable consideration, or vote in consideration of such promise, he shall be disqualified forever thereafter from voting and holding any office under said corporation; and on complaint thereof to the attorney of the United States for the District of Columbia, it shall be the duty of said attorney to proceed against such offender or offenders, by indictment and trial, as in other criminal cases; and, if found guilty, it shall be the duty of the court to sentence him to

pay a fine of not less than ten dollars, and to imprisonment not more than two months nor less than ten days.

SEC. 7. *And be it further enacted*, That in case of the refusal of any person to accept the office of mayor upon his election thereto, or of his death, resignation, inability, or removal from the city, the Board of Aldermen and Board of Common Council shall assemble in joint meeting, and elect another in his place, to serve for the remainder of the term, or during such disability; but in case of temporary absence from the city, or of sickness, the mayor may, in writing, depute the president of the Board of Aldermen to act as mayor during such temporary absence or sickness.

SEC. 8. *And be it further enacted*, That so much of the tenth section of the act incorporating the inhabitants of the city of Washington, approved May the fifteenth, eighteen hundred and twenty, as is in the following words, viz: "That real property, whether improved or unimproved, in the city of Washington, on which two or more years' taxes shall have remained due and unpaid, or on which any special tax, imposed by virtue of authority of the provisions of this act, shall have remained unpaid for two or more years after the same shall have become due, or so much thereof, not less than a lot, (when the property on which the tax has accrued is not less than that quantity,) as may be necessary to pay any such taxes, with all legal costs and charges arising thereon, may be sold at public sale to satisfy the corporation therefor," be and the same is hereby amended, so as to read as follows, viz: "That real property, whether improved or unimproved, in the city of Washington, on which one or more years' taxes shall have become due and remain unpaid, or on which any special tax, imposed by virtue of authority of the provisions of this act, shall have become due and remain unpaid, or so much thereof, not less than a lot, (when the property on which the tax has accrued is not less than that quantity,) as may be necessary to pay any such taxes, with all interest, costs, and charges arising thereon, may be sold at public sale to satisfy the corporation therefor." And so much of the third proviso of the tenth section of the said act incorporating the inhabitants of the city of Washington, approved May the fifteenth, eighteen hundred and twenty, as is in the following words, viz: "That no sale shall be made in pursuance of this section, of any improved property whereon there is personal property of sufficient value to pay the said taxes," be, and the same is hereby, repealed. And the authority given to the collector in the eleventh section of said act to postpone the sale of any property to a future day "for want of bidders," shall be so construed as to authorize the postponement for any other reasonable cause, if, in the opinion of the mayor, the collector, or other officer duly authorized, there shall be other reasonable cause for such postponement; but public notice shall in all cases be given of such postponement, and the sales made at such postponed time shall be equally valid as if made the day first designated for such sale; and no sale of any real property for taxes hereafter made shall be impaired or made void by reason of any error of the mayor, or other officer of the corporation, in making a calculation or computation of the amount of taxes due, the expenses attendant on the advertisement and sale, or of the purchase money and the interest thereon, notwithstanding the sum erroneously calculated or computed may have been paid by the purchaser, his heirs, or assigns; but all such sales, and the deeds which may be granted on the certificates then issued, shall be valid and binding

as if no such error had been made; and it shall be lawful for the heirs or assigns of any purchaser or purchasers of property sold for taxes in the said city to receive, do, or perform anything which, by the said act of the fifteenth of May, eighteen hundred and twenty, incorporating the inhabitants of the city of Washington, or by any act or acts supplementary to, or in execution of the same, it may be lawful for such purchaser or purchasers to receive, do, or perform.

SEC. 9. *And be it further enacted*, That the said corporation shall have power to cause to be made out plats of all the squares in the city of Washington, on which shall be shown the lines of all the subdivisions of said squares as the same shall actually exist at the date of the completion of the plat of each square, and to prescribe and regulate the manner in which description shall be made of all real estate sold or transferred in the said city: *Provided*, That the said plats shall be made out and drawn upon a uniform scale of not less than one inch to fifty feet; and that the method of description of real estate sold or transferred within the corporate limits which shall be prescribed by the said corporation shall be such that the plats shall at all times show the lines of property as actually existing in the squares; and the office of the surveyor of the city of Washington shall be the legal office of record of the plats of all property in the city of Washington.

SEC. 10. *And be it further enacted*, That the poll-tax which may be levied and collected in pursuance of the powers in this act given, shall constitute a fund, or be added to any other fund now or hereafter to be constituted by any act of the corporation, for the establishment and support of common schools, and for no other purpose, under such regulations as may from time to time be established and provided by the corporation.

SEC. 11. *And be it further enacted*, That the corporation shall not have power to increase the present funded debt of the said corporation, either by borrowing money or otherwise, unless it shall be agreed to do so by two-thirds of the legal voters in the said city at an annual election, and the said corporation shall annually apply a sum not less than ten thousand dollars of its revenues to the redemption of the present debt of the corporation.

SEC. 12. *And be it further enacted*, That all taxes, except taxes on real property, imposed by virtue of the powers granted by this act, or the acts to which this is amendatory or supplementary, in default of payment thereof within the time limited by act of the corporation for payment, may be collected by distress and sale of the goods and chattels and personal effects of the person or persons chargeable therewith, under such regulations and limitations as the corporation may prescribe; but no such sale shall be made unless ten days' previous notice thereof be given in some newspaper printed and published in the city of Washington.

SEC. 13. *And be it further enacted*, That the Commissioner of Public Buildings, or other officer having charge and authority over the lands and property of the United States lying within the city of Washington, shall, from time to time, cause to be opened and improved such avenues and streets, or parts or portions thereof, as the President of the United States, upon the application of the corporation of the said city, shall deem necessary for the public convenience, and direct to be done; and he shall defray the expense thereof out of any money arising, or which shall have arisen, from

the sale of lots in the city of Washington, belonging, or which may have belonged, to the United States, and from no other fund. And it shall be the duty of the said Commissioner, or other United States officer as aforesaid, upon the application of the mayor, to repair and keep in repair the pavements, water gutters, water-ways, and flag footways, which have been made or shall be made opposite or along the public squares, reservations, or other property belonging to the United States; as also, on like application, to repair and keep in repair such streets and avenues, or parts thereof, as may have been or shall hereafter be opened and improved by the United States: the expense of all such repairs to be paid out of the fund before mentioned.

SEC. 14. *And be it further enacted*, That the Commissioner of Public Buildings be, and he is hereby, required to perform the duties required of the city commissioner by the fourteenth section of the act of the twenty-sixth of May, eighteen hundred and twenty-four, supplementary to the act of the fifteenth of May, eighteen hundred and twenty, incorporating the inhabitants of the city of Washington. And it shall be the duty of the Commissioner of Public Buildings, within ninety days after the sale of any lots or squares belonging to the United States in the city of Washington, to report the fact to the corporation of Washington, giving the date of sale, the number of the lot and square, the name of the purchaser or purchasers, and the said lots or squares shall be liable to taxation by the said corporation from the date of such sale.

SEC. 15. *And be it further enacted*, That the justices of the peace, whether they be members of the Board of Aldermen or Board of Common Council or not, who may be selected from time to time by the said corporation to enforce the police regulations and penal laws of the said city, as also to issue warrants and to hear and determine cases within the jurisdiction of justices of the peace, in which the mayor, Board of Aldermen, and Board of Common Council of the said city shall be plaintiffs, shall have power to issue all such warrants, and all other warrants or processes deemed necessary and proper, in cases of violations of the police regulations and penal laws of the corporation, and to hear and determine all such cases, and, under the orders of the corporation, to issue execution or other final process thereon; and the said justices shall also have power to compel the attendance of witnesses by attachment, and to punish them by fine not exceeding ten dollars, or by imprisonment not exceeding ten days, for refusing obedience to a summons.

SEC. 16. *And be it further enacted*, That hereafter the justices of the peace for the county of Washington, in the District of Columbia, shall be appointed for three years; and upon indictment and conviction of any justice of the peace, before any court of competent jurisdiction, of incompetency, habitual drunkenness, corruption in office, or of any other wilful misconduct in the discharge of his duties as justice of the peace, his commission shall be void, and he shall cease to exercise the office and powers of justice of the peace; and for all criminal process or business issued, or tried by or before any justice of the peace in the city and county of Washington, in the District of Columbia, the said justice and the constable who shall execute the process shall respectively be entitled to charge and receive the same fees as are authorized to be charged and received in the case of process issued and served by them respectively in cases of small

debts; and the said costs shall be certified by the said justices to the district attorney, for his revision and approval, and when approved shall be paid by the marshal of the District of Columbia.

SEC. 17. *And be it enacted*, That, in addition to the seven members now authorized to be appointed to the Levy Court of the county of Washington, from and after May, eighteen hundred and forty-eight, the President of the United States is hereby authorized and required annually to appoint four additional members from the city of Washington; and the said court shall thereafter consist of eleven members.

SEC. 18. *And be it further enacted*, That the corporation of the said city of Washington shall have full power and authority to pass all laws which may be needful and necessary to carry into full and complete effect the powers granted to the said corporation, or to any of its officers or servants, by this act, or by the act or acts to which this act is amendatory or supplementary. And that whenever any doubts shall arise touching the construction of this act, or the act or acts to which this act is amendatory or supplementary, or the acts of the corporation passed under the said act or acts, the same shall, in all courts of law and equity, and elsewhere, be construed and taken most favorably for the said corporation. And all acts or parts of acts in conflict with the provisions of this act be and the same are hereby repealed.

